



REVISED: 8-19-09

**NOTICE OF THE
REGULAR SESSION OF
THE FOUNTAIN HILLS TOWN COUNCIL**

Mayor Jay T. Schlum

**Vice Mayor Mike Archambault
Councilmember Dennis Brown
Councilmember Dennis Contino**

**Councilmember Ginny Dickey
Councilmember Cassie Hansen
Councilmember Henry Leger**

TIME: 6:30 P.M.
WHEN: THURSDAY, AUGUST 20, 2009
WHERE: FOUNTAIN HILLS COUNCIL CHAMBERS
16705 E. AVENUE OF THE FOUNTAINS, FOUNTAIN HILLS, AZ

PROCEDURE FOR ADDRESSING THE COUNCIL

Anyone wishing to speak before the Council must fill out a speaker's card and submit it to the Town Clerk prior to Council discussion of that Agenda item. Speaker Cards are located in the Council Chamber Lobby and near the Clerk's position on the dais.

Speakers will be called in the order in which the speaker cards were received either by the Clerk or the Mayor. At that time, speakers should stand and approach the podium. Speakers are asked to state their name prior to commenting and to direct their comments to the Presiding Officer and not to individual Councilmembers. Speakers' statements should not be repetitive. *If a speaker chooses not to speak when called, the speaker will be deemed to have waived his or her opportunity to speak on the matter. Speakers may not (i) reserve a portion of their time for a later time or (ii) transfer any portion of their time to another speaker.*

If there is a Public Hearing, please submit the speaker card to speak to that issue during the Public Hearing.

Individual speakers will be allowed **three** contiguous minutes to address the Council. Time limits may be waived by (i) *discretion of the Town Manager upon request by the speaker not less than 24 hours prior to a Meeting*, (ii) *consensus of the Council at Meeting* or (iii) *the Mayor either prior to or during a Meeting*. Please be respectful when making your comments. If you do not comply with these rules, you will be asked to leave.

REGULAR SESSION

- **CALL TO ORDER AND PLEDGE OF ALLEGIANCE** – Mayor Schlum
- **INVOCATION** – Member of the Baha'i Faith Community Church
- **ROLL CALL** – Mayor Schlum
- **MAYOR'S REPORT** -
 - (i) Mayor Schlum will read a proclamation declaring September 17, 2009 "Constitution Commemoration Day".
- **SCHEDULED PUBLIC APPEARANCES/PRESENTATIONS**
 - (i) Financial update for the fiscal year ended June 30, 2009, by Deputy Town Manager Julie Ghetti

CALL TO THE PUBLIC

Pursuant to A.R.S. §38-431-01(G), public comment is permitted (not required) on matters not listed on the agenda. Any such comment (i) must be within the jurisdiction of the Council and (ii) is subject to reasonable time, place, and manner restrictions. The Council will not discuss or take legal action on matters raised during "Call to the Public" unless the matters are properly noticed for discussion and legal action. At the conclusion of the call to the public, individual Councilmembers may (i) respond to criticism, (ii) ask staff to review a matter or (iii) ask that the matter be placed on a future Council agenda.

CONSENT AGENDA

1. **CONSIDERATION** of approving the TOWN COUNCIL MEETING MINUTES from August 6, 2009.
2. **CONSIDERATION** for approving RESOLUTION 2009-30, abandoning whatever right, title, or interest the Town has in portions of the certain Public Utility and Drainage Easements located at the northwesterly property line of Plat 428, Block 2, Lot 83 (16406 E. Bradford Drive) as recorded in Book 155 of Maps, Page 19, Records of Maricopa County, Arizona. EA09-05 (Gusmano)
3. **CONSIDERATION** for approving RESOLUTION 2009-32, abandoning whatever right, title, or interest the Town has in portions of the certain Public Utility and Drainage Easements located at the northerly and easterly property lines of Plat 204, Block 9, Lot 9 (11059 N. Valley Drive) as recorded in Book 142 of Maps, Page 10, Records of Maricopa County, Arizona. EA09-06 (Nagle)
4. **CONSIDERATION** of approving a FINAL PLAT for a LOT DIVISION at 16206 E. Sawik Circle, aka Plat 203, Block 9, Lot 2. (APN 176-03-281) Case# S2009-02
5. **CONSIDERATION** of approving an EXTENSION OF PREMISE APPLICATION, submitted by John Vincent Giger (Fountini's Bar and Grill), located at 13407 N. La Montana Drive, Fountain Hills, AZ.

6. **CONSIDERATION** of approving the ACQUISITION OF CONTROL AND AGENT CHANGE LIQUOR LICENSE APPLICATION to Sheila Overall, for the Holiday Inn located at 12800 N. Saguaro Boulevard, Fountain Hills, AZ.
7. **CONSIDERATION** of approving a LIQUOR LICENSE APPLICATION submitted by Youn Hwa Leavitt (Katana Sushi & Grill), located at 16425 E. Palisades Blvd., #103, Fountain Hills, AZ. This is for a series 12 license (Restaurant).
8. **CONSIDERATION** of approving a SPECIAL EVENT LIQUOR LICENSE APPLICATION, submitted by Jerold Lane Miles (Fountain Hills & Lower Verde Valley Museum and Historical Society) for the purpose of a fundraising event, located at 13001 N. La Montana, Fountain Hills, AZ, that is scheduled to be held on September 16, 2009, from 6:00 p.m. to 10:00 p.m.
9. **CONSIDERATION** of approving RESOLUTION 2009-33, declaring as a public record that certain document filed with the Town Clerk and entitled the "2009 Amendments to the Tax Code of the Town of Fountain Hills."
10. **CONSIDERATION** of approving Ordinance 09-10, relating to the privilege license tax; adopted "the 2009 Amendments to the Tax Code of the Town of Fountain Hills" by reference; establishing an effective date; providing for severability and providing penalties for violations.

REGULAR AGENDA

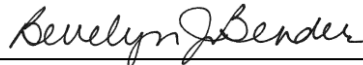
11. **CONSIDERATION** of SPECIAL EVENTS being coordinated by the Town of Fountain Hills Parks and Recreation Department: the MOVIE IN THE PARK (September 12, 2009); BALLET UNDER THE STARS (September 24, 2009); the HOMECOMING PARADE (September 30, 2009); and the HOMECOMING TAILGATE PARTY (October 2, 2009). *Saguaro Boulevard will be closed from Avenue of the Fountain to Palisades Boulevard from 5:00 p.m. – 9:00 p.m. for the Movie in the Park and the Ballet Under the Stars events. Sections of Avenue of the Fountains and Paul Nordin Parkway will be closed from 3:30 p.m. to 7:00 p.m. for the Homecoming Parade.*
12. **CONSIDERATION** of a SPECIAL EVENT APPLICATION for the Oktoberfest presented by the Town of Fountain Hills, Southwest German Society, Sons of AMVETS, and the Fountain Hills Elks Lodge #2846 to be held in Fountain Park on September 25-26, 2009; and will require closure of Saguaro Boulevard north of Avenue of the Fountains to Palisades Boulevard from 3-11 p.m. each day.
13. **CONSIDERATION** of a SPECIAL EVENT LIQUOR LICENSE application submitted by Samuel Coffee (Sons of AMVETS) for the Oktoberfest event to be held in Fountain Park on September 25 and 26, 2009, from 5-10 p.m. each day.
14. **CONSIDERATION** of RESOLUTION 2009-25, an intergovernmental agreement with Valley Metro Regional Public Transportation Authority to provide special transportation services to the Town of Fountain Hills, not to exceed \$70,500, for the period from July 1, 2009 to June 30, 2010.
15. **CONSIDERATION** of RESOLUTION 2009-31, approving an intergovernmental agreement among Arizona municipalities and the League of Arizona Cities and Towns to establish a database for sharing the results of E-verify audits.

16. **CONSIDERATION** of ORDINANCE 09-09, amending the Fountain Hills Town Code, Chapter 7, Buildings and Building Regulations, Article 7-10, Development Fees, relating to adjustments to development fees for the Town of Fountain Hills.
17. **CONSIDERATION** of approving the installation of TWO SPEED HUMPS in Courtside Villas Development, one on Sterling Way and one on Kings Way.
18. **CONSIDERATION** of PROPOSED STRATEGY, specific to the utilization of the America Reinvestment and Recovery Act (ARRA) transportation funds allocated to the Town by the Maricopa Association of Governments (MAG), and POSSIBLE DIRECTION TO STAFF.
19. **COUNCIL DISCUSSION/DIRECTION** to the Town Manager.

Items listed below are related only to the propriety of (i) placing such items on a future agenda for action or (ii) directing staff to conduct further research and report back to the Council:

A. None.
20. **SUMMARY** of COUNCIL REQUESTS and REPORT ON RECENT ACTIVITIES by the Town Manager.
21. **ADJOURNMENT.**

DATED this 14th day of August, 2009



Bevelyn J. Bender, Town Clerk

The Town of Fountain Hills endeavors to make all public meetings accessible to persons with disabilities. Please call 480-816-5100 (voice) or 1-800-367-8939 (TDD) 48 hours prior to the meeting to request a reasonable accommodation to participate in this meeting or to obtain agenda information in large print format. *Supporting documentation and staff reports furnished the Council with this agenda are available for review in the Clerk's office.*